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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JANUARY 15, 2002

APPLICATION OF

SMARTENERGY.COM, INC.

CASE NO. PUE000412

For a license to conduct
business as an electric and
natural gas competitive
service provider and aggregator

DISMISSAL ORDER

On August 23, 2000, SmartEnergy.com, Inc. ("SmartEnergy" or "the Company"), completed an application with the State Corporation Commission ("Commission") for licensure to conduct business as an electric and natural gas competitive service provider and aggregator. The Company proposed to provide competitive electric, natural gas, and aggregation services in the retail access pilot programs of Virginia Electric and Power Company ("Virginia Power"), Appalachian Power Company d/b/a American Electric Power-Virginia ("AEP-VA"), Rappahannock Electric Cooperative ("REC"), Washington Gas Light Company ("WGL"), and Columbia Gas of Virginia, Inc. ("CGV").

By Order dated October 6, 2000, SmartEnergy was granted License Nos. PE-7, PG-5, and PA-4 to provide competitive electric, natural gas, and aggregation services to commercial

and residential customers within the Virginia Power, REC, AEP-VA, WGL, and CGV retail access pilots. In granting these licenses, the Commission stated in its Order that the licenses would expire upon termination of these pilot programs unless otherwise ordered by the Commission.

On June 19, 2001, the Commission entered its Final Order in Case No. PUE010013, adopting its Rules Governing Retail Access to Competitive Energy Services ("Retail Access Rules"), 20 VAC 5-312-10, et seq. This Order provided that each competitive service provider that wished to convert its pilot license to a permanent license to participate in retail access must submit a request to do so in writing to the Commission on or before August 31, 2001. We directed that: (i) each such request must include an attestation that the information provided and updated in its application for a pilot license is true and correct; (ii) the Company must attest that it will abide by all applicable regulations of the Commission, as required by 20 VAC 5-312-40 B; and (iii) the Company must include any changes to information previously provided to the Commission, as required by 20 VAC 5-312-20 R.

To date, SmartEnergy has not filed a request to convert its pilot licenses to permanent licenses.

NOW UPON CONSIDERATION of SmartEnergy's failure to request to convert its pilot licenses to permanent licenses, the

Commission is of the opinion and finds that SmartEnergy's pilot licenses have expired, and this matter should be closed.

Accordingly,

IT IS ORDERED THAT:

(1) SmartEnergy's License Nos. PE-7, PG-5, and PA-4 to provide competitive electric, natural gas, and aggregation services to commercial and residential customers in conjunction with the Virginia Power, AEP-VA, REC, WGL, and CGV retail access pilots have expired. As a result, SmartEnergy is no longer authorized to act as a competitive service provider and aggregator in Virginia but may reapply for licensure at any time.

(2) This case is hereby dismissed.